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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

10 QUALCOMM INCORPORATED, a  
Delaware corporation,

11 Plaintiff,

12 v.

13 XATA CORPORATION, a Minnesota  
14 corporation,

15 Defendants.

CASE NO. 10CV1337 WQH (BLM)

*Final*  
~~PROPOSED~~ JUDGMENT

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Courtroom:	4
Judge:	Hon. William Q. Hayes
Courtroom:	5140
Magistrate Judge:	Hon. Barbara Lynn Major
Complaint Filed:	June 24, 2010
Trial Date:	Not set

16  
17 Qualcomm, Incorporated (“Qualcomm”) filed a complaint for declaratory relief against  
18 XATA Corporation (“XATA”) in the United States District Court for the Southern District of  
19 California on June 24, 2010. Qualcomm sought a declaration from this Court that it may lawfully  
20 employ former XATA employee Thomas Flies at its headquarters in California.

21 XATA has filed a motion to dismiss and in the alternative, to transfer and does not by this  
22 Stipulation consent to general or special jurisdiction. However, the parties have agreed that the  
23 protections set forth in the Stipulated Injunction and Order for Judgment and Judgment entered  
24 against Thomas Flies in Case No. 10-cv-2968 ADM-SRN in the United States District Court for  
25 the District of Minnesota which is attached hereto and incorporated by this reference  
26 (“Injunction”) adequately protect XATA’s trade secrets and confidential information, and that  
27 Qualcomm may therefore legally employ Thomas Flies so long as Qualcomm and Thomas Flies  
28 comply with the Injunction.

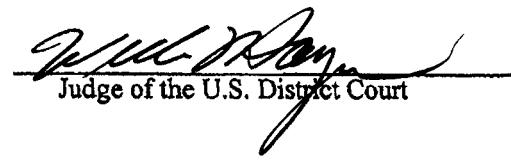
1       The parties having stipulated to the relief set forth below, and the Court being otherwise  
2       duly advised;

3 **IT IS ORDERED AND DECREED:**

4       Judgment is hereby entered that Qualcomm may employ Thomas Flies pursuant to the  
5       terms of the Injunction. Each party will bear its own costs and attorney's fees.

6       LET JUDGMENT BE ENTERED ACCORDINGLY.

7       Dated: 8/26/10

  
Judge of the U.S. District Court

10     Approved as to form:

11

12     Dated: August 24, 2010

PAUL, PLEVIN, SULLIVAN &  
CONNAUGHTON LLP

14     By: 

E. JOSEPH CONNAUGHTON  
MONICA L. COUGHLIN  
Attorneys for Plaintiff  
QUALCOMM, INC.  
Email: econnaughton@paulplevin.com

18     Dated: August 17, 2010

DORSEY & WHITNEY

19     By: 

GABRIELLE M. WIRTH  
Attorney for Defendant  
XATA CORPORATION  
Email: wirth.gabrielle@dorsey.com

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